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USSN 10/810,747
Filed March 25, 2004

Remarks

Applicant has filed the amendments above and the Remarks below in response to the Examiner's Restriction of the application in the Office Action issued September 30, 2005. Applicant respectfully requests that the Examiner reconsider the Restriction and the amended claims and pass the application into allowance.

Election of Claims and Traverse

In response to an Office Communication dated September 30, 2005 requiring an Election, Applicant hereby elects with traverse to proceed with the examination of Group I, claims 1 to 13 and 18 to 21 drawn to a reclosable zipper strip.

Applicant believes that the method for attachment and the reclosable zipper strip defined by the claims in the present application are coextensive subject matter. As is well known in the art reclosable zipper strips are devices attached to the opening of a plastic bag and are utilized to provide a resealable closure at the bag opening to which they are attached. The Examiner has stated that the claimed reclosable zipper strip can be used to fasten together a window and its frame. The Examiner has not supplied any authority other than this assertion that a plastic bag closure is effective in building construction nor any evidence that such usage of plastic bag closures is known either in the plastic bag arts or in the construction arts. Applicants respectfully point out that the claimed method requires the use of the claimed reclosable zipper strip. Accordingly, a search for art pertinent to the claimed method is coextensive with a search of for art pertinent to the claimed closure. Applicants request, respectfully that after a search has been conducted on the elected claims the Examiner re-evaluate his position in this regard and if warranted, permit simultaneous prosecution of both the elected and non-elected claims.

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Status of the Claims

Claims 1 to 13 and 18 to 21 (Group 1) have been elected with Traverso and claims 14 to 17 have been withdrawn in response to the Examiner's restriction requirement. New claims 22 and 23 have been added. No claims have been cancelled.

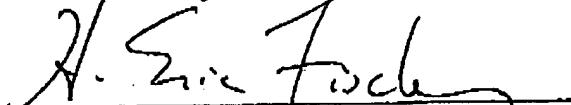
Claim 22 is supported throughout the specification, particularly by Figure 2 and paragraphs [0028] and [0029].

Claim 23 is supported throughout the specification, particularly by paragraph [0011].

In view of the foregoing amendments and arguments, it is believed that the present application is now in a condition for allowance. The Examiner is therefore requested, respectfully, to reconsider the Restriction requirement and the amended claims and pass the application into allowance. The Examiner is invited to telephone applicant's undersigned attorney to discuss any outstanding issues or to suggest changes of a formal nature to place this application in better condition for allowance.

The Commissioner is authorized to charge the fee for the additional dependent claims to Deposit Account No. 02-2556. A duplicate of this page is included for charging purposes.

Respectfully submitted,



H. Eric Fischer, Esq.
Attorney for Applicant
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PATENT TRADEMARK OFFICE

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Status of the Claims

Claims 1 to 13 and 18 to 21 (Group I) have been elected with Traverse and claims 14 to 17 have been withdrawn in response to the Examiner's restriction requirement. New claims 22 and 23 have been added. No claims have been cancelled.

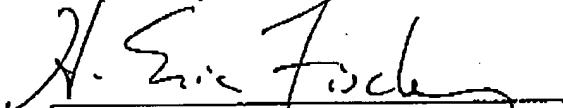
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